

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

PENNYMAC LOAN SERVICES, LLC	§	PLAINTIFF
	§	
	§	
v.	§	Civil No. 2:19cv193-HSO-MTP
	§	
	§	
INNOVATED HOLDINGS, INC., <i>doing business as</i> Sitcomm Arbitration Association, et al.	§	DEFENDANTS

**ORDER GRANTING PLAINTIFF’S MOTIONS [249], [259]
FOR DEFAULT JUDGMENT AND ALTERNATIVE MOTION
FOR JUDGMENT ON PARTIAL FINDINGS, AND DISMISSING
PLAINTIFF’S REMAINING CLAIMS AS MOOT**

BEFORE THE COURT are the Motions [249], [259] for Default Judgment filed by Plaintiff PennyMac Loan Services, LLC, and its alternative ore tenus Motion for Judgment on Partial Findings raised at the conclusion of the hearing held on August 2, 2021. For the reasons stated on the record at today’s hearing, the Court finds that Plaintiff’s Motions [249], [259] for Default Judgment are well taken and should be granted. Alternatively, as stated on the record at today’s hearing, even if default judgment were not appropriate, the Court would enter a Judgment on Partial Findings pursuant to Federal Rule of Civil Procedure 52(c) with the same damages award. Based upon the evidence and argument presented at the hearing today, the Court also finds that the remaining claims in the First, Second, and

Eighth Claims of the Amended Complaint are moot, and those claims will be dismissed.

IT IS, THEREFORE, ORDERED AND ADJUDGED that, Plaintiff PennyMac Loan Services, LLC's Motions [249], [259] for Default Judgment and its alternative ore tenus Motion for Judgment on Partial Findings are **GRANTED**, and default judgment will be entered in the amount of **\$1,384,371.24** against Defendants Innovated Holdings, Inc. dba Sitcomm Arbitration Association, Mark Moffett, Sandra Goulette, Kirk Gibbs, Brett "Eeon" Jones, and Rance Magee, jointly and severally, as to Plaintiff's claims in the Amended Complaint for libel/defamation (Third Claim), tortious interference with prospective economic advantage (Fourth Claim), civil conspiracy (Fifth Claim), and violations of the Racketeer Influenced and Corrupt Organizations Act ("RICO"), specifically 18 U.S.C. § 1962(c) (Sixth Claim), and conspiracy to violate RICO under § 1962(d) (Seventh Claim). This award includes \$70,294.88 in compensatory damages for the libel/defamation and the civil conspiracy claims; \$210,000.00 in punitive damages on the libel/defamation claim; \$579,691.67 in actual damages on the tortious interference with prospective economic advantage claim; \$140,589.76 in treble damages for the RICO claims; and \$383,794.93 for reasonable attorneys' fees incurred in this case.

IT IS, FURTHER, ORDERED AND ADJUDGED that, Plaintiff PennyMac Loan Services, LLC's remaining claims in the Amended Complaint against all Defendants for declaratory judgment (First Claim), preliminary and permanent

injunction (Second Claim), and vacation of arbitration awards under 9 U.S.C. § 10 (Eighth Claim) are **DISMISSED** as moot.

SO ORDERED AND ADJUDGED, this the 2nd day of August, 2021.

s/ Halil Suleyman Ozerden

HALIL SULEYMAN OZERDEN
UNITED STATES DISTRICT JUDGE